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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/670,303	09/26/2003	Chia-Ming Chang	MR929-916	5352

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EXAMINER
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LONEY, DONALD J

ART UNIT	PAPER NUMBER
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1772

DATE MAILED: 07/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/670,303

**Applicant(s)**

CHANG, CHIA-MING

**Examiner**

Donald Loney

**Art Unit**

1772

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 29 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,8 and 9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,8 and 9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claim 8 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. In claim 8, line 14 "a plurality of spaced inclined slits" is recited. The specification fails to provide support for the term "inclined". Nowhere in the specification does it mention or refer to the slits as "inclined".

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 8 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The examiner has deemed the term "inclined" as new matter as explained above. It also is unclear as to what is meant by said terminology. Does this mean the slits depth increases and/or decreases along the length there of? Clarification is kindly requested. For the purpose of applying art to the claim with new matter, the examiner will deem the term "inclined" as meaning being at an angle or oblique to the width of the board as

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shown by slit 76 in figure 6. The examiner believes that slits are meant to be described as slanted as shown in figure 6 and described on page 6, lines 20-24 of the specification.

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Weyerhaeuser (2354725).

Weyerhaeuser teaches a core 10,65 with slits therein 11,12,68 wherein the grain of the core runs perpendicular to the face sheets in the figures. See the grain of core 10, which runs from the front to the back of the sheet as can be seen from the right side of figure 1, while the grain of the face sheets runs from the right to the left of the sheet in figure 1. In figure 8, it is the opposite of figure 1, in that the core grain runs from side to side of the sheet while the face sheet grain runs from the front to the back of the sheet. Weyerhaeuser also teaches that the slits in the core board can run both longitudinally and latitudinal, which would have them criss-crossing as recited in the claim and show in applicants figure 2. Refer to page 3, column 2, lines 51-54.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Weyerhaeuser.

Weyerhaeuser teaches the invention substantially as recited except for one set of the slits being inclined in relation to the latitudinally arranged slits. Weyerhaeuser does that the slits in a core composite board as claimed can be cross wise and that other forms may be used in order to provide air channels in the panel for anti-warping purposes (page 2, column 1, lines 39-44). Refer to page 3, column 1, lines 46-48 and column 2, lines 51-54. Tongue and groove connections are shown in figures 8 and 9 by elements 66,67,78,79.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to Weyerhaeuser to include cross cut and angled slits in the core motivated by the fact Weyerhaeuser teaches that other forms of the slits are within ordinary skill in the art and would provide the same type air channels in order to vent damaging moisture from the board.

5. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Weyerhaeuser in view of Bryant (3234074).

Weyerhaeuser teaches the invention substantially as recited except for the third and fourth boards, which are attached between the core and first and second boards respectively. This is a structure wherein the first and second boards are multilayered. Weyerhaeuser does that the slits in a core composite board as claimed can be cross

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wise and that other forms may be used in order to provide air channels in the panel for anti-warping purposes (page 2, column 1, lines 39-44). Refer to page 3, column 1, lines 46-48 and column 2, lines 51-54. Tongue and groove connections are shown in figures 8 and 9 by elements 66,67,78,79.

Bryant teaches a composite board wherein the core grain 16,38 is perpendicular to the face sheet grains 22. Bryant also teaches an additional layer 26,44 which has a grain 28 perpendicular to the face sheet grain 22 (see figure 2) for the purpose acting as a load equalizer in order for the strips to work structurally as a unit. The outer layers are laminated plywood that has the grain running perpendicular in each layer. Refer to figure 5.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to Weyerhaeuser to use multilayered outer boards, as taught by Bryant, in order to aid in the structural properties thereof motivated by the fact Bryant teaches to include additional layers for the purpose of acting as a load equalizer in order for the strips to work structurally as a unit. The recitation as to the both top and bottom of the intermediate board containing latitudinally and slanted slits is deemed obvious to one having ordinary skill in the art motivated by the fact Weyerhaeuser teaches that other forms of the slits are within ordinary skill in the art and would provide the same type air channels in order to vent damaging moisture from the board.

### ***Response to Arguments***

6. Applicant's arguments filed March 29, 2005 have been fully considered but they are not persuasive. The applicant argues that Weyerhaeuser fails to teach that the slits

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run both longitudinally and latitudinally in the core. However from the section referred to by the examiner above, Weyerhaeuser does teach that the slits can be in both the length and width direction of the board.

### ***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Donald Loney whose telephone number is (571) 272-1493. The examiner can normally be reached on Mon, Tues, Thurs and Fri. 8AM-4PM, flex schedule.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Pyon can be reached on 571 272-1498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Donald Loney  
Primary Examiner  
Art Unit 1772

DJLD.Loney  
07/22/05